

UNITED STATES DISTRICT COURT
for the
Eastern District of Michigan

United States of America

v.

Tommy Owens

Case No. Case: 2:22-mj-30045
Assigned To : Unassigned
Assign. Date : 1/31/2022
USA V. OWENS (CMP)(CMC)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of December 2, 2021 in the county of Jackson in the
Eastern District of Michigan, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
18 U.S.C. § 922 (g)(1)	Felon in Possession of a Firearm

This criminal complaint is based on these facts:

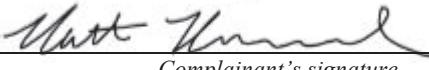
See attached affidavit

Continued on the attached sheet.

Sworn to before me and signed in my presence
and/or by reliable electronic means.

Date: January 31, 2022

City and state: Detroit, Michigan


Complainant's signature

Matthew Rummel, Special Agent, ATF
Printed name and title


Judge's signature

Hon. Kimberly G. Altman, U.S. Magistrate Judge
Printed name and title

**AFFIDAVIT IN SUPPORT OF AN APPLICATION FOR
A CRIMINAL COMPLAINT AND ARREST WARRANT**

I, Matthew Rummel, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND BACKGROUND

1. I am a Special Agent with the U.S. Department of Justice - Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF), and have been so since September 2014. I am currently assigned to Detroit Field Division. Prior to joining the ATF, I was employed, for approximately eight years, as a State Parole Agent with the Michigan Department of Corrections. During that time, for approximately four years, I was assigned to a multi-jurisdictional task force made up of federal, state, and local law enforcement agencies. I have participated in numerous investigations involving firearms, narcotics trafficking by armed individuals, fraud, robberies, assaults, homicides, and criminal street gangs. I have been the affiant on numerous federal search warrants and federal criminal complaints. I have a Bachelor's degree in criminal justice, and I am a graduate of the Federal Law Enforcement Training Center Criminal Investigator School and ATF's Special Agent Basic Training school.

2. This affidavit is based upon information I have gained from my investigation, my training and experience, and from information provided by law

enforcement officers and others who have personal knowledge of the events and circumstances described herein. The information set forth in this affidavit is in support of a complaint and arrest warrant and is for the limited purpose of establishing probable cause; this affidavit, therefore, does not include all the information collected during this investigation and about which I am aware.

3. Previously, on January 28, 2022, I submitted an affidavit in support of a criminal complaint charging that, on or about December 2, 2021, defendant Tommy OWENS, an individual having been convicted of a crime punishable by imprisonment for a term exceeding one year, did knowingly possess ammunition that had previously traveled in interstate and foreign commerce, in violation of 18 U.S.C. § 922(g)(1). That charge was related to a round of 9mm ammunition found in OWENS's pocket upon his arrest. The Honorable Elizabeth Stafford authorized that criminal complaint on January 28, 2022.

4. I now submit this additional affidavit in support of a criminal complaint charging that, on or about December 2, 2021, within the Eastern District of Michigan, Tommy OWENS, DOB XX/XX/1991, an individual having been convicted of a crime punishable by imprisonment for a term exceeding one year, did knowingly possess a firearm that had previously traveled in interstate and foreign commerce, in violation of Title 18, United States Code, Section 922(g)(1). As detailed below, this charge relates to a firearm that OWENS had in his

possession during the same traffic stop on that date, which OWENS hid inside a Michigan State Police vehicle and was recovered at a later date.

PROBABLE CAUSE

5. On or about December 2, 2021, Michigan State Police (MSP) Trooper Escott was working in Jackson, Michigan, with the Jackson Narcotics Enforcement Team. Trooper Escott observed a vehicle with a defective muffler and executed a traffic stop. Four people were observed in the vehicle. The driver, Tommy OWENS, was found to have a felony warrant out of Blackman Township and was placed under arrest.

6. During the initial traffic stop investigation, Trooper Escott was by himself with four suspects. Trooper Escott conducted a brief pat down of OWENS before placing him in the front passenger seat of his police vehicle.

7. Trooper Escott then searched the vehicle. During a search of the vehicle, a 9mm pistol was located below the front passenger seat, loaded with two live rounds of 9mm ammunition.

8. Later, OWENS was more thoroughly searched at the Michigan State Police Post incident to arrest. In his left front pocket, Trooper Escott recovered a live round of 9mm ammunition and plastic baggies.

9. Following OWENS arrest, on January 11, 2022, Trooper Escott was notified by Michigan Department of Natural Resources (DNR) Officer Knoblauch

that he had received information about Tommy OWENS hiding a firearm in Trooper Escott's patrol vehicle. DNR Officer Knoblauch explained that he was speaking with an individual on an unrelated matter and was told that Tommy OWENS had been telling people that he had a pistol during his arrest and hid the pistol in the patrol vehicle.

10. After receiving the information from Officer Knoblauch, Trooper Escott searched the front seat of his patrol vehicle where OWENS was transported. At that time, Trooper Escott located a pistol in the crease of the front passenger seat, loaded with six live rounds. The firearm was completely hidden from sight and secreted in a void in the back of the seat.

11. Trooper Escott then reviewed in-car video from the original arrest on December 2, 2021. After OWENS was arrested, he was placed in the front passenger seat of Trooper Escott's patrol vehicle. OWENS was visible on the interior camera of the in-car camera for the entire arrest and transport to the State Police Post.

12. While Trooper Escott searched the vehicle, OWENS was alone in the patrol vehicle. The female passenger from the stopped car was standing outside the patrol vehicle near OWENS. OWENS was observed pushing his hips forward and reaching with his handcuffed hands around to his right side and appeared to be pulling something from his right hip from under his jacket. From this point

forward, OWENS appears to be sitting more slouched in the seat. Minutes later, on two occasions, there is a noise consistent with the sound of a slide of a pistol being manipulated. OWENS then leans forward as if he is fidgeting with something near the crease of the seat. Seconds later, OWENS stated twice, "I'm about to kill 'em." Approximately two minutes later additional police units arrive to assist Trooper Escott, who was still outside the vehicle conducting his investigation with the additional three suspects. As the backup units arrived OWENS is observed leaning forward in the patrol vehicle seat. This action is consistent with placing an object into the crease of the passenger seat, where the firearm was located. OWENS could later be seen turning his torso around and looking directly at the crease of the seat where the firearm was located.

13. The firearm was a Hi-Point, Model C-9, 9mm, bearing serial number P1826375.

14. I have consulted with ATF Special Agent (S/A) Michael Parsons, an interstate firearms nexus authority. S/A Parsons has determined based on the description of the firearm, it was manufactured outside the state of Michigan and has therefore previously traveled in interstate commerce.

15. The original tipster was re-interviewed by the Michigan State Police and accurately described the firearm that was recovered from Trooper Escott's

vehicle. The tipster stated that OWENS had been bragging about hiding a 9mm Hi-Point firearm during his [OWENS] arrest.

16. I have queried the computerized criminal history for Tommy OWENS, which revealed he had previously been convicted of a felony and served two terms in prison. Specifically, in 2010, he pled guilty and was convicted in the 4th Circuit Court of Michigan (Jackson County) of Larceny from a Person, in violation of Mich. Comp. Laws § 750.357, which is punishable by imprisonment for a term exceeding one year. OWENS was sentenced on October 21, 2010, to 24 months to 10 years in prison for the offense and was paroled on May 1, 2013.

17. In 2014, he was convicted in the 1st Circuit Court of Michigan (Hillsdale County) of Assault, Resisting, Obstructing the Police, in violation of Mich. Comp. Laws § 750.81D1, which is also punishable by imprisonment for a term exceeding one year. OWENS was sentenced to 16 months to 24 months in prison on November 17, 2014. He is therefore prohibited by law from possessing a firearm.

18. I am aware that the Michigan Court Rules (which are used in the state court system in Michigan) require a court to advise a criminal defendant of the maximum possible prison sentence for an offense before accepting a plea of guilty or nolo contendere to the charge. Therefore, as a result of OWENS' aforementioned guilty plea, as well as the fact that he has served multiple prior

prison terms in excess of one year, there is probable cause to believe that he knew that he was a felon and had been previously convicted of a crime punishable by imprisonment for a term exceeding one year when, on December 2, 2021, when he possessed the firearm.

[REMAINDER OF PAGE INTENTIONALLY BLANK]

19. Based on the above, I respectfully submit there is probable cause to find that, in or around December 2, 2021, within the Eastern District of Michigan, Tommy OWENS, after having been convicted of a crime punishable by imprisonment for a term exceeding one year, did knowingly possess a firearm that had previously traveled in interstate and foreign commerce, in violation of Title 18, United States Code, Section 922(g)(1).

Respectfully submitted,


Matthew Rummel, Special Agent
Bureau of Alcohol, Tobacco, Firearms
and Explosives

Sworn to before me on this
31st day of January, 2022.



Kimberly G. Altman
UNITED STATES MAGISTRATE JUDGE

Dated: January 31, 2022